

RESOLUTION NO. 2024-139-R

**A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY
FOR THE BROWNSFERRY ROAD & BURGREN ROAD ROUNDABOUT PROJECT**

BE IT RESOLVED by the City Council of the City of Madison, Alabama, a municipal corporation within the State of Alabama, as follows:

1. That in the judgment and opinion of the City Council of the City of Madison, it is in the public interest and necessary and expedient that the City of Madison acquire certain rights-of-way and utility and drainage easements (herein the "Tracts") on, over, across and upon the following described parcel of land, to-wit, that certain parcel currently owned by P-R Burgreen, LLC, as described herein and attached Exhibit A, B and C.
2. **Exhibit A: Warranty Deed** depicts the Tract to be acquired for a right of way for the expressed purpose of constructing the proposed Browns Ferry Road and Burgreen Road Roundabout (herein "the Project"). The Tract is further described as follows:

A section of Right-Of-Way being situated in the Northwest quarter of Section 1, Township 4 South, Range 3 West, more particularly described as follows:

Commence from the capped rebar set said point being the Point of Commencement (said point having the coordinates of N: 1721130.731, E: 2179674.770; thence S 76°01' 33" E a distance of 82.75 feet to a point said point being the Point of Beginning (said point offset 53.96' RT and perpendicular to the centerline of Huntsville Brownsferry Road at approximate station 74+37.90); thence S 89°59'00" E a distance of 70.42 feet to a point (said point offset 54.08' RT and perpendicular to the centerline of Huntsville Brownsferry Road at approximate station 75+08.32); thence S 01°21'20" E a distance of 345.57 feet to a point (said point offset 31.28' LT and perpendicular to the centerline of Burgreen Road at approximate station 51+00.00); thence N 37°10'44" W a distance of 49.24 feet to a point (said point offset 60' LT and perpendicular to the centerline of Burgreen Road station 51+40.00); thence N 01°30'19" W a distance of 290.00 feet to a point (said point offset 60' LT and perpendicular to the centerline of Burgreen Road station 54+30.00); thence N 68°20'36" W a distance of 44.35 feet to the Point of Beginning, containing 0.23 acres, more or less.

3. **EXHIBIT B: Utility and Drainage Easement Deed** depicts the necessary easements the City is required to obtain for such utilities and drainage needs

(herein "the Project"). The Utility and Drainage Easement is further described as follows:

A section of Permanent Utility Easement being situated in the Northwest quarter of Section 1, Township 4 South, Range 3 West, more particularly described as follows:

Commence from the capped rebar set said point being the Point of Commencement (said point having the coordinates of N: 1721130.731, E: 2179674.770; thence S 68°47' 50" E a distance of 55.26 feet to a point said point being the Point of Beginning (said point offset 53.90' RT and perpendicular to the centerline of Huntsville Brownsferry Road at approximate station 74+09.05); thence S 89°57'16" E a distance of 28.85 feet to a point (said point offset 53.96' RT and perpendicular to the centerline of Huntsville Brownsferry Road at approximate station 74+37.90); thence S 68°20'36" E a distance of 44.35 feet to a point (said point offset 60' LT and perpendicular to the centerline of Burgreen Road at approximate station 54+30.00); thence S 01°30'19" E a distance of 290.00 feet to a point (said point offset 60' LT and perpendicular to the centerline of Burgreen Road station 51+40.00); thence S 37°10'44" E a distance of 49.24 feet to a point (said point offset 31.28' LT and perpendicular to the centerline of Burgreen Road station 51+00.00); thence S 01°21'20" E a distance of 30.00 feet to a point (said point offset 31.36' LT and perpendicular to the centerline of Burgreen Road station 50+70.00); thence S 88°29'41" W a distance of 38.64 feet to a point (said point offset 70' LT and perpendicular to the centerline of Burgreen Road station 50+70.00); thence N 01°30'19" W a distance of 350.00 feet to a point (said point offset 70' LT and perpendicular to the centerline of Burgreen Road station 54+20.00); thence N 66°10'06" W a distance of 65.95 feet to the Point of Beginning, containing 0.13 acres, more or less.

4. **EXHIBIT C: Utility and Drainage Easement Deed** depicts additional necessary easements the City is required to obtain for such utilities and drainage needs (herein "the Project"). The Utility and Drainage Easement is further described as follows:

A section of Permanent Utility Easement being situated in the Northwest quarter of Section 1, Township 4 South, Range 3 West, more particularly described as follows:

Commence from the capped rebar set said point being the Point of Commencement (said point having the coordinates of N: 1721130.731, E: 2179674.770; thence S 54°06' 28" W a distance of 33.99 feet to a point said point being the Point of Beginning (said point offset 53.73' RT and perpendicular to the centerline of Huntsville Brownsferry Road at approximate station 73+30.00); thence S 00°04'39" E a distance of 1.27 feet to a point (said point offset 55' RT and perpendicular to the centerline of Huntsville Brownsferry Road at approximate station 73+30.00); thence S 89°55'21" W a distance of 15.00 feet to a point (said point offset 55' RT and perpendicular to the centerline of Huntsville Brownsferry Road at approximate station 73+15.00); thence N 00°04'39" W a distance of 1.30 feet to a point (said point offset 53.70' RT and perpendicular to the

centerline of Huntsville Brownsferry Road station 73+15.00); thence S 89°57'22" E a distance of 15.00 feet to the Point of Beginning, containing 0.000 acres, more or less.

5. That obtaining the foregoing Tracts and Easements are necessary for the development and construction of the Project, which is in the best interest of the citizens of the City of Madison in that it will contribute to the health, safety, and general welfare of the citizens of Madison.
6. That the Mayor of the City of Madison, or his designees are further authorized, empowered, and directed to acquire said Tracts and Easements by voluntary conveyance and offer P-R Burgreen, LLC a total of **seventy-seven thousand dollars and seven hundred twenty dollars (\$77,720.00)** to compensate owner for the conveyances enumerated in Exhibit A, B and C.
7. That said Tracts have been appraised in accordance with Section 18-1A-21 of the Code of Alabama, as amended, to determine the amount of just compensation required for the acquisitions and it is the judgment and opinion of the City Council of the City of Madison that the offer to the owner represents such just compensation.
8. That the Mayor is authorized to execute any and all documents necessary to complete the acquisition of the Tract and all necessary easements described in Exhibit A, B and C.
9. Any prior acts taken by the City toward the acquisition of the property are hereby ratified and affirmed.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 13th day of May 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ___ day of May 2024.

Paul Finley, Mayor
City of Madison, Alabama